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2		FILED CLERK, U.S. DISTRICT COURT 7/30/15
4		CENTRAL DISTRICT OF CALIFORNIA
5		BY: BH DEPUTY
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8	UNITED STA	TES DISTRICT COURT
9	FOR THE CENTRAL DISTRICT OF CALIFORNIA	
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11	William M. Pate,) CASE NO. CV 15-4228-GHK (AGRx)
12	Petitioner,	TEMPORARY INJUNCTION UNDER SECTION 10(J) OF THE NATIONAL LABOR RELATIONS ACT
13	v.	
14	Bodega Latina Corporation, dba El () Super,	
15	Respondent.	
16	P	j
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20	This matter is before us on Regional Director William M. Pate's ("Petitioner")	
21	Petition for Temporary Injunction Under Section 10(j) of the National Labor Relations	
22	Act. Based on the findings and conclusions in the Civil Minute Order issued	
23	simultaneously with this Temporary Injunction (or "Order"), we rule as follows:	
24	Respondent Bodega Latina Corporation d/b/a El Super, its officers, agents,	
25	successors, assigns, and all persons acting in concert or participation with them, who	
26	shall receive notice of this Order by service or otherwise, SHALL	
27	(1) Cease and desist from:	
28	(a) Making unilateral changes to the vacation policy and	

1 | (b) Terminating employees because they engage in union and/or protected 2 concerted activities. 3 (2) Take the following affirmative actions: 4 (a) Within five (5) days of this Order, and pending his presentation of 5 documentation that he is authorized to work in the United States, offer in writing to 6 Fermin Rodriguez, immediate interim reinstatement to the same position he held at 7 the time he was discharged on or about January 8, 2015, or, if that position no 8 longer exists, to a substantially equivalent position, without prejudice to his 9 seniority or any other rights or privileges previously enjoyed while working for the 10 Respondent, displacing, if necessary, any workers subsequently hired, transferred, 11 or reassigned; 12 (b) Within five (5) days of the issuance of this Order, remove from its files any reference to the suspension and termination of Fermin Rodriguez, and within three 13 (3) days thereafter notify Rodriguez and Petitioner in writing that this has been 14 15 done and that the termination and suspension will not be used against him in any 16 way; 17 (c) Within 30 days of the issuance of this Order, ensure that the vacation policy is 18 implemented such that (a) employees accrue one week of vacation time during 19 their first year of employment and (b) accrued time is calculated on a yearly basis 20 upon the completion of each full year worked; 21 (d) Within five (5) days of the issuance of this Order, post copies (in English and 22 Spanish) of the Order at Respondent's retail grocery stores at 9170 Woodman 23 Avenue, Arleta, CA; 960 West Arrow Highway, Covina, CA; 1301 East Gage 24 Avenue, Los Angeles, CA; 10531 South Carmenita Road, Santa Fe Springs, CA; 25 1100 West Slauson Avenue, Los Angeles, CA; 650 North Euclid Street, Anaheim, 26 CA; and 3321 West Century Boulevard, Inglewood, CA, in a location at each store 27 where notices to employees are customarily posted; maintain these postings during

the Board's administrative proceeding free from all obstructions and defacements.

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1 All employees shall have free and unrestricted access to said Order. Translation of 2 the Order into Spanish shall be at Respondent's expense. The translation shall be 3 approved by the Regional Director; 4 (e) Within ten (10) days of this Order, in the presence of a Board Agent and a 5 representative of the Unions, require this Order to be read by a responsible official 6 of Respondent, or, at Respondent's option, by a Board Agent in the presence of a 7 responsible official of Respondent, in English and Spanish to assembled employees 8 at Respondent's retail grocery stores located at 9170 Woodman Avenue, Arleta, 9 CA; 960 West Arrow Highway, Covina, CA; 1301 East Gage Avenue, Los 10 Angeles, CA; 10531 South Carmenita Road, Santa Fe Springs, CA; 1100 West 11 Slauson Avenue, Los Angeles, CA; 650 North Euclid Street, Anaheim, CA; and 12 3321 West Century Boulevard, Inglewood, CA, during paid working time, with attendance at the reading to be mandatory for all employees on duty on the day of 13 the reading; 14 15 (f) Grant agents of the Board reasonable access to Respondent's retail grocery 16 stores located at 9170 Woodman Avenue, Arleta, CA; 960 West Arrow Highway, 17 Covina, CA; 1301 East Gage Avenue, Los Angeles, CA; 10531 South Carmenita 18 Road, Santa Fe Springs, CA; 1100 West Slauson Avenue, Los Angeles, CA; 650 19 North Euclid Street, Anaheim, CA; and 3321 West Century Boulevard, Inglewood, 20 CA, in order to monitor compliance with the posting requirement; and 21 22 23 24 25 26 27 28

(g) Within 40 days of the issuance of this Order, file with the Court, and serve upon Petitioner, a sworn affidavit from a responsible official of Respondent, setting forth with specificity the manner in which Respondent has complied with the terms of this Order, including how and when it posted the documents required

IT IS SO ORDERED.

GEORGE H. KING Chief United States District Judge